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1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF NEW YORK

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3 UNITED STATES OF AMERICA,

4 v.

23 Cr. 490 (SHS)

5 ROBERT MENENDEZ,  
6 NADINE MENENDEZ,  
7 JOSE URIBE, and  
8 FRED DAIBES

Arraignment

Defendants.

-----x

9 New York, N.Y.  
10 September 27, 2023  
11 11:30 a.m.

12 Before:

13 HON. ONA T. WANG,

U.S. Magistrate Judge

14 APPEARANCES

15 DAMIAN WILLIAMS

16 United States Attorney for the  
17 Southern District of New York

DANIEL RICHENTHAL

ELI J. MARK

18 LARA ELIZABETH POMERANTZ

PAUL MICHAEL MONTELEONI

19 Assistant United States Attorneys

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APPEARANCES CONTINUED

WINSTON & STRAWN LLP

Attorneys for Defendant Robert Menendez

BY: SETH FARBER

DAVID KOLANSKY

SCHERTLER ONORATO MEAD & SEARS LLP

Attorneys for Defendant Nadine Menendez

BY: DAVID SCHERTLER

DANNY ONORATO

KRIEGER KIM & LEWIN LLP

Attorneys for Defendant Jose Uribe

BY: PAUL KREIGER

ARLEO & DONOHUE

Attorneys for Defendant Fred Daibes

BY: TIMOTHY M. DONOHUE

ROBERTO FINZI

Also Present:

TAELOE NISBETH, Pretrial Services Officer

STEPHEN BOOSE, Pretrial Services Officer

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(case called)

MR. MARK: Good morning, your Honor. Eli Mark on behalf of the government. With me at counsel's table are my colleagues Daniel Richenthal, Paul Monteleoni, and Lara Pomerantz.

THE COURT: Good morning.

MR. FARBER: Good morning, your Honor. Seth Farber and David Kolansky from Winston & Strawn for the defendant Senator Menendez for this appearance only.

THE COURT: Good morning.

MR. ONORATO: Good morning, your Honor, Danny Onorato on behalf of Nadine Menendez. Also with me at counsel's table is my colleague, David Schertler.

THE COURT: Good morning.

MR. KRIEGER: Paul Krieger of Krieger Kim & Lewin on behalf of Mr. Uribe.

THE COURT: Good morning. Good morning, Mr. Uribe.

MR. DONOHUE: Good morning, your Honor. Tim Donohue of Arleo & Donohue, West Orange, New Jersey on behalf of Fred Daibes present in court to my right. Also with me is my co-counsel who will introduce himself.

MR. FINZI: Roberto Finzi, your Honor.

THE COURT: Good morning.

MR. FINZI: Good morning.

THE COURT: All right. I am going to confirm very

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1 quickly: Everybody here can speak and understand English and  
2 does not need an interpreter; right?

3 MR. DONOHUE: Correct.

4 THE COURT: All right.

5 Mr. Mark or one of your colleagues, can I have the  
6 time and dates of arrest or surrender?

7 MR. MARK: All of the defendants surrendered pursuant  
8 to the summons this morning.

9 THE COURT: All right. Good morning, everyone. I am  
10 Judge Wang. You are here because you are charged with certain  
11 crimes by an indictment. I am going to go down in order. When  
12 I ask questions, I am going to ask them of Senator Menendez  
13 first and his counsel, then Ms. Menendez, then Mr. Uribe and  
14 then Mr. Daibes.

15 Senator Menendez and counsel, do you have a copy of  
16 the indictment?

17 MR. FARBER: Yes, we do your Honor.

18 THE COURT: Ms. Menendez and counsel, do you have a  
19 copy of the indictment?

20 MR. ONORATO: Yes, your Honor.

21 THE COURT: Mr. Uribe and counsel, do you have a copy  
22 of the indictment?

23 MR. KRIEGER: We do, your Honor.

24 THE COURT: And Mr. Daibes and counsel?

25 MR. FINZI: We do, your Honor.

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1           THE COURT: The purpose of today's proceedings is to  
2 advise you of certain rights that you have, inform you of the  
3 charges against you, consider whether counsel should be  
4 appointed for you, or at least advise you of the right to  
5 counsel, and decide under what conditions, if any, you shall be  
6 released pending trial.

7           I am now going to explain certain constitutional  
8 rights that you have. You have the right to remain silent.  
9 You are not required to make any statements. Even if you have  
10 already made statements to the authorities, you do not need to  
11 make any further statements. Any statements that you do make  
12 can be used against you. You have the right to be released,  
13 either conditionally or unconditionally, pending trial unless I  
14 find that there are no conditions that would reasonably assure  
15 your presence at future court appearances and the safety of the  
16 community. If you are not a United States citizen, you have  
17 the right to request that a government attorney or a law  
18 enforcement official notify a consular officer from your  
19 country of origin that you have been arrested. In some cases,  
20 a treaty or other agreement may require the United States  
21 government to give that notice whether you request it or not.  
22 You have the right to be represented by an attorney during all  
23 court proceedings, including this one, and during all  
24 questioning by the authorities. And you have the right to hire  
25 your own attorney. If you cannot afford an attorney, I can

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1 appoint one to represent you.

2 Starting with Senator Menendez, do you understand your  
3 rights as I have just explained them?

4 DEFENDANT ROBERT MENENDEZ: Yes, your Honor.

5 THE COURT: Ms. Menendez, do you understand your  
6 rights as I have just explained them?

7 DEFENDANT NADINE MENENDEZ: Yes, your Honor.

8 THE COURT: Mr. Uribe, do you understand your rights  
9 as I have just explained them?

10 DEFENDANT URIBE: Yes, your Honor.

11 THE COURT: Mr. Daibes, do you understand your rights  
12 as I have just explained them?

13 DEFENDANT DAIBES: Yes, your Honor.

14 THE COURT: All right. I am recognizing that all of  
15 the defendants here have retained counsel, so we do not need to  
16 go through the appointment of counsel process. I am now going  
17 to summarize the charges.

18 I understand, Mr. Mark, that we are here for  
19 arraignment as well; is that right?

20 MR. MARK: Yes, your Honor. Judge Stein has referred  
21 this for arraignment as well.

22 THE COURT: All right. I am going to summarize the  
23 charges and then I am going to go through and proceed with  
24 arraignment defendant by defendant in the same order.

25 The grand jury of the Southern District of New York

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1 has returned an indictment against each of you charging you  
2 with certain offenses. They are as follows: Count One is  
3 conspiracy to commit bribery, 18 U.S.C. 371. That is charged  
4 against all of the defendants who are present here today.

5 Count 2 is conspiracy to commit honest services fraud,  
6 18 U.S.C. Section 1349. That is also charged against all of  
7 the defendants present today.

8 And lastly, Count Three, conspiracy to commit  
9 extortion under color of official right, 18 United States Code  
10 1951. That is charged against Senator Menendez and  
11 Ms. Menendez.

12 I am going to start with Senator Menendez's counsel.  
13 Counsel, have you received a copy of the indictment,  
14 and have you reviewed it with your client?

15 MR. FARBER: Yes, your Honor.

16 THE COURT: Senator Menendez, do you understand the  
17 charges that you face?

18 DEFENDANT ROBERT MENENDEZ: Yes, your Honor.

19 THE COURT: Counselor, does your client waive the  
20 detailed reading of the indictment?

21 MR. FARBER: Yes, we do, your Honor.

22 THE COURT: Are you prepared to enter a plea to the  
23 indictment at this time?

24 MR. FARBER: We ask you to enter a plea of not guilty,  
25 your Honor.

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1 THE COURT: All right.

2 Ms. Menendez and counsel. Counsel, have you received  
3 a copy of the indictment?

4 MR. ONORATO: Yes, your Honor.

5 THE COURT: Have you reviewed it with your client?

6 MR. ONORATO: Yes, your Honor.

7 THE COURT: Ms. Menendez, do you understand the  
8 charges that you face?

9 DEFENDANT NADINE MENENDEZ: Yes, your Honor.

10 THE COURT: And counselor, does your client waive the  
11 detailed reading of the indictment?

12 MR. ONORATO: Yes, your Honor.

13 THE COURT: Are you prepared to enter a plea at this  
14 time?

15 MR. ONORATO: Yes, your Honor. We enter a plea of not  
16 guilty.

17 THE COURT: On to Mr. Uribe and counsel.

18 Mr. Krieger, have you received a copy of the  
19 indictment, and have you reviewed it with your client?

20 MR. KRIEGER: Yes, your Honor, and yes.

21 THE COURT: Mr. Uribe, do you understand the charges  
22 that you face?

23 DEFENDANT URIBE: Yes, your Honor.

24 THE COURT: Counsel, does your client waive a detailed  
25 reading of the indictment?



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1 MR. KRIEGER: He does, Judge.

2 THE COURT: Mr. Uribe, are you prepared to enter a  
3 plea to the indictment at this time?

4 DEFENDANT URIBE: Yes, your Honor.

5 THE COURT: What is that plea?

6 MR. KRIEGER: He enters a plea of not guilty, Judge.

7 THE COURT: Not guilty, all right.

8 Lastly, Mr. Daibes and counsel, Counsel, have you  
9 received a copy of the indictment, and have you reviewed it  
10 with your client?

11 MR. FINZI: I have, your Honor. We waive its public  
12 reading.

13 THE COURT: Mr. Daibes, do you understand the charges  
14 that you face?

15 DEFENDANT DAIBES: Yes, your Honor.

16 THE COURT: Then are you prepared to enter a plea to  
17 the indictment at this time?

18 DEFENDANT DAIBES: Yes. Not guilty.

19 THE COURT: All right. The plea of not guilty will be  
20 entered. The record should reflect that the defendants are all  
21 now arraigned.

22 Has Judge Stein set a conference date?

23 MR. MARK: Yes. Judge Stein set an initial conference  
24 date for October 2 at 2:30 p.m. in the afternoon.

25 THE COURT: OK. Is there any exclusion of time

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1 necessary until then?

2 MR. MARK: The government would request that time be  
3 excluded under the Speedy Trial Act until that date. The  
4 government respectfully submits exclusion would be in the  
5 interest of justice in order to allow the parties to discuss a  
6 protective order and initial discovery productions as well as  
7 issues regarding the case and preparation for the initial  
8 conference.

9 THE COURT: OK. Any objection from defense counsel?

10 MR. FARBER: Not on behalf of Senator Menendez.

11 MR. ONORATO: No, your Honor.

12 MR. KRIEGER: No, your Honor.

13 MR. FINZI: No, Judge.

14 THE COURT: I grant the exclusion of time under the  
15 Speedy Trial Act to October 2 because I find that the means of  
16 justice outweigh the best interest of the public and the  
17 defendants in a speedy trial based upon the need for the  
18 government to prepare for the conference, address issues in  
19 preparation for the conference, to get a protective order in  
20 place so that they can begin preparing initial discovery and  
21 disclosures.

22 All right. Have the parties discussed conditions of  
23 release?

24 MR. MARK: Yes. The government has discussed  
25 conditions of release with each of the defendant's counsel and

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1 have submitted to the Court's deputy proposed bail packages for  
2 each defendant.

3 THE COURT: Why don't we start with each defendant in  
4 the order as we have been going. Then after that, if accepted,  
5 I will accept each of them and then give the warnings together.

6 Go ahead.

7 MR. MARK: So, starting with Robert Menendez, agreed  
8 conditions of release which include \$100,000 personal  
9 recognizance bond, pretrial supervision as directed. There are  
10 then additional conditions of Surrender personal passports but  
11 not any official passport and travel documents to pretrial  
12 services and no new applications for travel documents. Foreign  
13 travel is permitted but only for official business with prior  
14 notice to pretrial services. Otherwise, travel is restricted  
15 to the United States. No contact with co-defendants except for  
16 his wife, any witnesses identified by the government other than  
17 the Senator's staff, the Senate Foreign Relations Committee  
18 staff or political advisers or individuals identified in the  
19 indictment outside the presence of counsel. No contact with  
20 individuals on the Senator's staff, SRFC staff, or political  
21 advisers who have personal knowledge of the facts the case  
22 about the facts of the case outside of the presence of counsel.  
23 The defendant would be released on his own signature as well as  
24 the surrender of personal passport.

25 THE COURT: All right. And there are no other

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1 conditions that need to be met at a later date; right?

2 MR. MARK: No, your Honor.

3 THE COURT: Anything to add to that, Counsel?

4 MR. FARBER: No, your Honor.

5 THE COURT: All right. Based upon my review of the  
6 indictment, the pretrial services report and agreement of  
7 counsel, I accept the recommendation.

8 Senator Menendez will be released on his own signature  
9 today with the surrender of his personal passport and under the  
10 following conditions: \$100,000 personal recognizance bond,  
11 pretrial supervision as directed, he is to surrender his  
12 personal passports, but not any official passport, and such  
13 travel documents to pretrial services, make no new applications  
14 for travel documents. Foreign travel is permitted only for  
15 official business with prior notice to pretrial services.  
16 Otherwise, travel is restricted to the United States. He is to  
17 have no contact with co-defendants except for his wife, no  
18 contact with any witnesses identified by the government other  
19 than the Senator's staff, the Senate Foreign Relations  
20 Committee staff or political advisers or individuals identified  
21 in the indictment outside of the presence of counsel. He is to  
22 have no contact with individuals on the Senator's staff, Senate  
23 Foreign Relations Committee staff, or political advisers who  
24 have personal knowledge of the facts of the case about the  
25 facts of the case outside of the presence of counsel.

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1 All right. Did I miss anything or misspeak?

2 MR. MARK: No, your Honor.

3 THE COURT: All right. Let's turn next to  
4 Ms. Menendez.

5 MR. MARK: So the agreed upon conditions of release  
6 are the following -- I should say the proposed agreed upon  
7 conditions of release are the following: \$250,000 personal  
8 recognizance bond secured by the defendant's personal residence  
9 in Englewood Cliffs, New Jersey, travel restricted to the  
10 Southern District of New York, Eastern District of New York,  
11 the District of New Jersey, the District of Columbia and points  
12 in between, as well as the Southern District of Florida to see  
13 family, temporary additional travel upon consent of the  
14 government and approval of pretrial services, surrender of  
15 travel documents and no new applications to be made, pretrial  
16 supervision as directed by pretrial services, and to have no  
17 contact with co-defendants, except for the defendant's spouse,  
18 or witnesses outside the presence of counsel, and the defendant  
19 will be released on her own signature and the surrender of her  
20 personal passport with remaining conditions to be met by  
21 October 11, which is two weeks from today.

22 THE COURT: Anything else to add?

23 MR. ONORATO: Your Honor, the only other things your  
24 Honor with respect to the security, I think we have agreed to a  
25 two-week period to get that accomplished. Other than that --

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1 THE COURT: Right. That is October 11; right? Two  
2 weeks from now.

3 MR. ONORATO: Yes.

4 THE COURT: Based upon my review of the indictment,  
5 the pretrial services report for Ms. Menendez, and the  
6 agreement of counsel, I accept the recommendation.  
7 Ms. Menendez will be released on the following conditions, and  
8 she can be released today on her own signature and surrender of  
9 the passport with remaining conditions to be met two weeks from  
10 today, that's October 11. These are the conditions: \$250,000  
11 personal recognizance bond secured by her personal residence in  
12 Englewood Cliffs, New Jersey. Travel is restricted to the  
13 Southern and Eastern Districts of New York, the District of New  
14 Jersey and the District of DC and points in between, as well as  
15 the Southern District of Florida to see family. Temporary  
16 additional travel is possible upon consent of the government  
17 and approval of pretrial services. As I said already, I think,  
18 Ms. Menendez is to surrender all travel documents and make no  
19 new applications, pretrial supervision as directed by pretrial  
20 services, and no contact with co-defendants, except her spouse,  
21 or witnesses outside the presence of counsel.

22 All right. Did I miss anything or does anything need  
23 clarification?

24 MR. MARK: No, your Honor.

25 MR. ONORATO: Thank you, your Honor. No.

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1 THE COURT: Thank you. Let's turn next to Mr. Uribe.

2 MR. MARK: As to Mr. Uribe, the proposed agreed upon  
3 conditions of release are the following: \$1 million personal  
4 recognizance bond secured by his personal residence in Clifton,  
5 New Jersey, travel restricted to the Southern District New  
6 York, the Eastern District of New York, the District of New  
7 Jersey, and the Eastern District of Pennsylvania. He must  
8 surrender travel documents and make no new applications,  
9 pretrial supervision as directed by pretrial services, the  
10 defendant not to possess any firearms, destructive device, or  
11 other weapon, additional conditions of no contact with  
12 co-defendants and witnesses he does business with regarding the  
13 case, except in the presence of counsel, and that he have no  
14 contact with any other co-defendants or other witnesses outside  
15 of the presence of counsel. The defendant could be released on  
16 his own signature and the surrender of his personal passport  
17 with the remaining conditions to be met in two weeks, which is  
18 October 11.

19 THE COURT: All right. Anything to add to that,  
20 Counsel?

21 MR. KRIEGER: No, your Honor.

22 THE COURT: Based upon my review of the indictment,  
23 Mr. Uribe's pretrial services report, and the agreement of  
24 counsel, I accept the recommendation. The agreed conditions of  
25 release shall be: \$1 million personal recognizance bond

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1 secured by defendant's personal residence in Clifton, New  
2 Jersey, travel restricted to the Southern and Eastern Districts  
3 of New York, the District of New Jersey, and the Eastern  
4 District of Pennsylvania, he is to surrender all travel  
5 documents and make no new applications, pretrial supervision as  
6 directed by pretrial services, he is not to possess a firearm,  
7 destructive device, or other weapon, no contact with  
8 co-defendants and witnesses he does business with regarding the  
9 case, except in the presence of counsel, no contact with other  
10 co-defendants or witnesses outside the presence of counsel, and  
11 he may be released on his own signature today plus the  
12 surrender of personal passport with the remaining conditions to  
13 be met by October 11, 2023, which is two weeks from today.

14 Did I miss anything?

15 MR. MARK: No, your Honor.

16 MR. KRIEGER: No, Judge.

17 THE COURT: Just a minute.

18 Let's turn to Mr. Daibes.

19 MR. MARK: Finally, with regard to Mr. Daibes, the  
20 proposed agreed upon conditions of release are the following:  
21 \$2 million personal recognizance bond to be secured by a  
22 commercial property at 500 Route 340 in Sparkill, New York, zip  
23 code 10876, travel to be restricted to the Southern District of  
24 New York, the Eastern District of New York, the District of New  
25 Jersey, and the Southern District of Florida, the defendant



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1 surrender travel documents and make no new applications,  
2 pretrial supervision as directed by pretrial services, the  
3 defendant not to possess a firearm, destructive device, or  
4 other weapon, the defendant not to have any contact with  
5 co-defendants and witnesses he does business with regarding the  
6 case, except in the presence of counsel, the defendant have no  
7 contact with other co-defendants or witnesses outside the  
8 presence of counsel. The last condition makes reference to the  
9 fact that the defendant also has a bond in New Jersey relating  
10 to another case which is USA v. Fred Daibes, 18 CR 655. This  
11 condition provides that if and when the bond in that case, US  
12 v. Fred Daibes, 18 CR 655, may be exonerated, then the monetary  
13 conditions of that bond will continue to apply to this matter.  
14 The monetary conditions, for the Court's reference, is a  
15 \$10 million PRB. So, in other words, this condition provides  
16 that the SDNY bond, this bond, would be modified to carry over  
17 the \$10 million PRB and accompanied security from the NJ bond  
18 if that were to be exonerated. The defendant would be released  
19 on his own signature as well as the surrender of his personal  
20 passport with the remaining conditions to be met in two weeks,  
21 which is October 11.

22 THE COURT: All right. I just had a question. This  
23 might be for Mr. Daibes's counsel. There are no firearms to be  
24 surrendered at this time; right?

25 MR. FINZI: That's correct, your Honor.

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1 THE COURT: Have they already been surrendered?

2 MR. FINZI: They were surrendered in connection with  
3 the New Jersey case, your Honor.

4 THE COURT: All right. I just wanted to confirm.

5 MS. NISBETH: Your Honor, if I may.

6 THE COURT: Yes.

7 MS. NISBETH: If you could just provide verification  
8 to pretrial services of the surrender of the firearms.

9 THE COURT: OK. What about the -- I noticed in the  
10 pretrial report about the purchase ID cards, does that need to  
11 be -- was that surrendered, does that need to be surrendered,  
12 does that verification need to be made to pretrial services in  
13 this district?

14 MS. NISBETH: Correct. The report states he possesses  
15 two firearms at his home.

16 THE COURT: Counsel for Mr. Daibes?

17 MR. FINZI: My understanding, your Honor -- I think it  
18 may say this in the report too -- is that there were two  
19 firearms. The firearms, he's never used and received as gifts.  
20 But they were transmitted or given to the son in connection  
21 with the charges in New Jersey. So, my understanding is that  
22 they are not in his possession. So, we will verify that.

23 THE COURT: They are not with the son who lives with  
24 him; is that right?

25 MR. FINZI: That's correct, Judge.

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1 THE COURT: OK. I will add verified as additional  
2 condition, verify to pretrial services that the firearms and  
3 purchase IDs have already been given to the son as represented  
4 in the report.

5 All right. Anything else that I need to add or modify  
6 in this one?

7 MR. MARK: Not from the government.

8 MR. FINZI: No, your Honor.

9 MS. NISBETH: No, your Honor.

10 THE COURT: Based upon my review of the indictment,  
11 the pretrial services report from Mr. Daibes, and the agreement  
12 of counsel, I accept the recommendation. Mr. Daibes will be  
13 released on the following conditions: The \$2 million personal  
14 recognizance bond secured by commercial property at 500 Route  
15 340 in Sparkill, New York, travel is restricted to the Southern  
16 and Eastern Districts of New York, the District of New Jersey,  
17 and the Southern District of Florida. He is to surrender all  
18 travel documents and make no new applications, pretrial  
19 supervision is as directed by pretrial services, he is not to  
20 possess a firearm, destructive device, or other weapon.  
21 Mr. Daibes is to have no contact with co-defendants and  
22 witnesses he does business with regarding the case, except in  
23 the presence of counsel. He is to have no contact with other  
24 co-defendants or witnesses outside of the presence of counsel.  
25 He is to verify to pretrial services in the Southern District

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1 New York that the firearms and any purchase IDs have already  
2 been given to his son and he does not have possession of them,  
3 and that if and when the bond in the New Jersey case, that is  
4 United States of America v. Fred Daibes, 18-CR-655, if that  
5 bond is exonerated the monetary conditions of that bond will  
6 continue to apply in this matter. In other words, the Southern  
7 District New York bond will be modified to carry over the  
8 \$10 million personal recognizance bond and the accompanying  
9 security from the District of New Jersey bond. Mr. Daibes also  
10 will be released on his own signature plus surrender of  
11 personal passport. So, that can happen today with remaining  
12 conditions to be met in two weeks. That is October 11, 2023.

13 Did I miss anything? Does anything need  
14 clarification?

15 MR. MARK: No, your Honor.

16 MR. FINZI: No, your Honor. Thank you.

17 MS. NISBETH: No, your Honor.

18 THE COURT: I will give warnings to everybody.

19 If you fail to appear in court as required or if you  
20 violate any of the conditions of the release, one, a warrant  
21 will be issued for your arrest, two, you and anyone who signed  
22 your bonds will each be responsible for paying their full  
23 amounts as I indicated earlier -- there are different amounts  
24 for each defendant -- and three, you may be charged with the  
25 separate charge of bail jumping which can mean additional jail

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1 time and/or a fine. In addition, if you commit a new offense  
2 while you are released, in addition to the sentence prescribed  
3 for that offense, you would be sentenced to an additional term  
4 of imprisonment of not more than ten years if the offense is a  
5 felony or not lower than one year if the offense is a  
6 misdemeanor. This term of imprisonment would be executed after  
7 any other sentence of imprisonment is completed.

8 While you are awaiting trial, I also must warn you not  
9 to have any contact or engage in intimidation of potential or  
10 designated witnesses or jurors, not to engage in any  
11 intimidation of any court officer, and not to engage in any  
12 conduct that would obstruct any investigation by law  
13 enforcement.

14 Finally, if you don't agree with any of my decisions  
15 here, you have a right to appeal them.

16 I am now going to give the government the Rule 5(f)  
17 warning. It is an oral order. I direct the prosecution to  
18 comply with its obligations under *Brady v. Maryland* and its  
19 progeny to disclose to the defense all information, whether  
20 admissible or not, that is favorable to the defendant, material  
21 either to guilt or to punishment, and known to the prosecution.  
22 Possible consequences for noncompliance may include dismissal  
23 of individual charges or the entire case, exclusion of  
24 evidence, and professional discipline or court sanctions on the  
25 attorneys responsible. I will be entering a written order more

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1 fully describing this obligation and the possible consequences  
2 of failing to meet it, and I direct the prosecution to review  
3 and comply with that order.

4 Does the prosecution confirm that it understands its  
5 obligations and will fulfill them?

6 MR. MARK: We fully understand our obligations and  
7 will fulfill them, your Honor.

8 THE COURT: All right. Is there anything further we  
9 need to do at this time?

10 MR. MARK: Not on behalf of the government.

11 MR. FARBER: No, your Honor.

12 MR. ONORATO: No, your Honor.

13 MR. KRIEGER: No, Judge.

14 MR. DONOHUE: No, your Honor.

15 THE COURT: Thank you very much. We are adjourned.

16 (Adjourned)  
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20  
21  
22  
23  
24  
25